



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/365.081

07/30/99

BENGSTON

RIC-99-030

0242/0824

JUBIN DANA  
TECHNOLOGY LAW DEPARTMENT  
1103 19TH STREET NW  
WASHINGTON DC 20036

NOT ASSIGNED

*Dye Date*  
*10/24/99*

DATE MAILED:

2731

08/24/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**  
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

Mark W. Sees

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

D. King

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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SECTOR #3

Serial No.: 09/365,081

Examiner: TBD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bengston, et al.

Serial No.: 09/365,081

Filed: July 30, 1999

Title: **Method For Monitoring Spare Capacity Of A DRA Network**



Docket: RIC99030

Art Unit: 2731

Examiner: TBD

**ATTN: BOX MISSING PARTS**  
Assistant Commissioner For Patents  
Washington, D.C. 20231

**MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(a)**

I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Attention: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on Thursday, December 09, 1999.

  
Jubin Dana, (Reg. No. 41,400)

**RESPONSE TO**  
**NOTICE TO FILE MISSING PARTS**

Dear Sir:

In response to the Notice to File Missing Parts, which was dated August 24, 1999, the following is submitted for filing:

Transmitted herewith for filing, please find the following:

- ☒ Declaration and Power of Attorney executed by **Mark W. Sees**.  
[Total pages: 2]
- ☒ An Assignment of the invention to **MCIWORLD.COM**, Inc. executed by **Mark W. Sees** along with an Assignment Recordation Form Cover Sheet.  
[Total pages: 2]
- ☒ A copy (Part 2) of the NOTICE TO FILE MISSING PARTS OF APPLICATION *Filing Date* Granted dated August 24, 1999
- ☒ Petition for a 2 Month Extension of time.
- ☒ Return Receipt Postcard

Serial No.: 09/365,081  
Examiner: TBD


The total fee for this response has been calculated and determined to be \$510.00. Accordingly, the Commissioner is hereby authorized to charge **\$510.00** as well as any under payment of fees during the pendency of this application or credit any overpayment to Deposit Account No. **13-2491**.

**This sheet is attached in duplicate.**

Please address all correspondence with respect to this application to **Jubin Dana** at the address listed below.

Please charge my Deposit Account No. **13-2491** in the amount of **\$510.00**.

Date: Dec 9 1999

  
\_\_\_\_\_  
Jubin Dana  
Registration No. 41,400

MCIWORLD.COM, INC.  
1133 19<sup>th</sup> Street, N.W.  
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